

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

KENNETH GENTRY,	:	Case No. 1:18-cv-318
	:	
Petitioner,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
WARDEN, CORRECTIONAL	:	
RECEPTION CENTER,	:	
	:	
Respondent.	:	

ORDER OVERRULING OBJECTIONS (Docs. 15, 18) AND ADOPTING REPORT
AND RECOMMENDATION (Doc. 13)

This action is before the Court on Petitioner Kenneth Gentry's Objections, filed June 20 and June 28, 2019 (Docs. 15, 18), to Magistrate Judge Michael R. Merz's Report and Recommendation, filed June 5, 2019 (Doc. 13). Magistrate Judge Merz recommended that Gentry's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed with prejudice. (Doc. 13 at 11). Gentry objected, albeit in an untimely manner, to Magistrate Judge Merz's Report & Recommendation, which is ripe for the Court's review.

Gentry's objections re-argue that his guilty plea was not knowing, intelligent, and voluntary and that *State v. Kosto* requires the vacating of his conviction, *see* 2018-Ohio-1925, ¶ 2, *appeal not allowed*, 2018-Ohio-3450, ¶ 2, 153 Ohio St. 3d 1469, 106 N.E.3d 66. Gentry also repeats his general assertions pertaining to the Fourth Amendment and *Miranda v. Arizona*, 384 U.S. 436 (1966). None of these objections, however, confront the reasoning or conclusions of Magistrate Judge Merz's Report and Recommendation.

Gentry fails to identify anything specific he believes may be incorrect in Magistrate Judge Merz's findings. *See Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995). Such nonspecific objections are, in effect, restatements of prior arguments and amount to a failure to object. *Bradley v. United States*, No. 18-1444, 2018 WL 5084806, at *3 (6th Cir. Sept. 17, 2018); *Cole v. Yukins*, 7 F. App'x 354, 356 (6th Cir. 2001).

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon such review, the Court finds that Gentry's Objections (Docs. 15, 18) are not well-taken and are accordingly **OVERRULED**. The Court **ADOPTS** the Report and Recommendations (Doc. 13) in its entirety and Gentry's petition for habeas corpus is **DISMISSED** with prejudice.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND